

July 8, 2009

To: Teresa Parsons
Director's Review Program Supervisor

FROM Meredith Huff, SPHR
Director's Review Investigator

SUBJECT: Richard Carandang v. Department of Transportation (DOT)
Allocation Review No. ALLO-08-076

Director's Review Conference

Mr. Richard Carandang requested a Director's Review of his position's allocation by submitting a Request for Director's Review received October 23, 2008. On May 19, 2009, I conducted a Director's review conference at the Personnel Resources Board's office at 2828 Capitol Blvd. in Olympia WA. Present at the review conference were Mr. Carandang, DOT employee; Mr. Vince Oliveri, IFPTE Local 17, representing Mr. Carandang; and Ms. Niki Pavlicek, Classification and Compensation Manager, representing DOT.

Director's Determination

The Director's review of DOT's allocation determination of Mr. Carandang's position is complete. As the Director's investigator, I have carefully reviewed all of the file documentation, classifications and the information provided during the review conference. I conclude that on a best fit of his overall duties and responsibilities, Mr. Carandang's position is properly allocated to the class of Transportation Engineer 3.

Mr. Carandang submitted classification questionnaires and recruitments of other positions he believed were comparable to his. Although reviewing other positions provides better understanding of the organization, comparison to other positions is not allocation criteria. The information provided on the additional CQs was not used in making a determination.

Background

Mr. Richard Carandang works in the DOT Headquarters in the E&EP/Materials Lab/Geotechnical Division. On April 30, 2008, Mr. Carandang submitted to the DOT Human Resources office a Classification Questionnaire (CQ) for his position, #0-1226. Mr. Carandang believes his position should be reallocated from

Transportation Engineer 3 to the Transportation Engineer 4 classification. (Exhibit 2-B) By letter dated October 16, 2008, Ms. Pavlicek notified Mr. Carandang that his position was properly allocated as a Transportation Engineer 3 and denied his request for reallocation to the Transportation Engineer 4. (Exhibit 2-A) On October 23, 2008, Mr. Carandang submitted a Director's Review Request Form. (Exhibit 1-A) During the review conference, it was agreed that the review period for Mr. Carandang's position is at least six months prior to April 30, 2008 in accordance with the collective bargaining agreement.

Summary of Mr. Carandang's comments

Mr. Carandang indicated that geotechnical information is used to measure ground stability or movement where foundations for culverts, deep walls, and other structures will be constructed. Mr. Carandang uses information provided by geotechnical project managers and engineers to create a statewide Geotechnical Design Schedule (Schedule). He is responsible for maintaining, monitoring and analyzing information that he gathers and inputs in the Schedule. He stated the information from the Schedule is used to monitor project schedules, workforce projections and allocations, and to create various reports for supervisors and management team.

Mr. Carandang stressed that his analysis of the information in a Schedule is helpful in mitigating problems. For example, he noted he can identify cost over runs in the early stages of a project and inform the project manager; when scheduled dates are not met or are in conflict, he can assist in adjusting dates. Mr. Carandang emphasized that once a month he meets with the Headquarters office staff to discuss geotechnical project roles, upcoming use of resources, timeframes, impact, and other information regarding scheduled projects. Mr. Carandang stressed that he is the final reviewer of Schedule reports he creates. He stated he completes the final review of the Geotechnical Document Package and the Summary of Geotechnical Conditions prior to advertising for bids.

Mr. Carandang emphasized that he is the only one that is doing this type of scheduling and his work includes all geotechnical projects state-wide. He stressed that he believes he is a specialist serving in the specialty area of geotechnical scheduling. Mr. Carandang also confirmed that he is the only staff person in the Materials Lab with experience and knowledge in using the Primavera software to comply with the DOT Secretary's executive orders.

Mr. Oliveri, on Mr. Carandang's behalf, noted that Mr. Carandang's responsibilities are more in line with the TE4 and his position should be reallocated to that class.

Summary of DOT's comments

Ms. Pavlicek emphasized there are two options for allocation at the Transportation Engineer 4 level and Mr. Carandang does not meet these. First, his position does not require that he be a registered professional engineer. And secondly, he does not serve as a Technical Program Specialist. She also verified that Mr. Carandang does not create or modify the duration of the schedule developed by others and he does not affect or modify the statewide Geotechnical Program. Ms. Pavlicek noted that

the allocation determination letter of October 16, 2008, details the analysis of Mr. Carandang's position and supports his position's allocation to Transportation Engineer 3 as the best fit for his overall assigned duties and responsibilities.

Rationale for Director's Determination

The purpose of a position review is to determine which classification best describes the overall duties and responsibilities of a position. A position review is neither a measurement of the volume of work accomplished, nor an evaluation of the expertise with which that work is performed. A position review is a comparison of the duties and responsibilities of a particular position to the available classification specifications. This review results in a determination of the class that best describes the overall duties and responsibilities of the position. See Liddle-Stamper v. Washington State University, PAB Case No. 3722-A2 (1994).

In Salsberry v. Washington State Parks and Recreation Commission, PRB Case No. R-ALLO-06-013 (2007), the Personnel Resources Board addressed the concept of *best fit*. The Board referenced Allegrì v. Washington State University, PAB Case No. ALLO-96-0026 (1998), in which the Personnel Appeals Board noted that while the appellant's duties and responsibilities did not encompass the full breadth of the duties and responsibilities described by the classification to which his position was allocated, on a best fit basis, the classification best described the level, scope and diversity of the overall duties and responsibilities of his position.

A comparison of one position to another similar position may be useful in gaining a better understanding of the duties performed, the level of responsibility assigned to an incumbent and the organization of the agency. However, allocation of a position must be based on the overall duties and responsibilities assigned to an individual position compared to the existing classifications. The allocation or misallocation of a similar position is not a determining factor in the appropriate allocation of a position. Flahaut v. Departments of Personnel and Labor & Industries, PAB No. ALLO 96-0009 (1996).

Classification Questionnaire (CQ) (Exhibit 2-B)

On the classification questionnaire, Mr. Carandang lists his key work activities as follows, in part.

60% Responsible for utilizing knowledge of the geotechnical design process, procedures, and personnel to develop, analyze, monitor, and maintain the Statewide Geotechnical Design Schedule for all transportation designs prepared or reviewed by the Geotechnical branch. ...determine workforce requirements for specific projects. Tracks progress towards completing the projects and ages workforce/project assignments in the design schedule to meet ...schedules. Represents the Geotechnical branch at schedule meetings to coordinate the schedule....

20% Prepares reports of actual time and project charges of staff working on projects in the geotechnical schedule. Prepares quarterly and annual reports for evaluation...prepares reports for estimating workforce requirements...

20% Coordinates and monitors... Unscheduled work requests by customers of the branch; PS&E reviews and construction submittals; Preparation of the final

Geotechnical Documentation Package and the Summary of Geotechnical Conditions prior to advertisement.

On April 23, 2008, Mr. David Jenkins signed the CQ as the immediate supervisor and noted that he provides supervision at the level of *"Little – Employee responsible for devising own work methods."* Mr. Jenkins wrote that he was not in agreement with the employee's submitted information and attached a statement of his comments. Mr. Jenkins statement reads, *"Since the last [approved] CQ in 2006, there has been no substantive additional duties or responsibilities added to the position. The geotechnical scheduler position generally processes input and tracks data generated by other geotechnical engineers and engineering geologists in the Geotechnical Division. The geotechnical scheduler does not create or modify the durations of the schedules developed by others. These duties do not affect or modify the state-wide geotechnical program. The decision making responsibility of this position is limited to how the data gathered by the incumbent in this position is presented and how the data is input and stored for schedule development and tracking."* Mr. Baker, State Materials Engineer, signed the CQ as the appointing authority on June 28, 2008.

Transportation Engineer 4 (TE4) (class code 530N)

Definition: As a registered professional engineer, performs professional engineering work which constitutes the practice of engineering as defined by RCW 18.43, or serves as a Technical Program Specialist.

Distinguishing Characteristics:

As a registered professional engineer, assignments entail responsibility for functions of significant scope and complexity. Incumbents apply specialized training, broad experience, and professional judgment in analysis and decision making to resolve complex engineering problems. Work is performed independently and is reviewed for the application of sound engineering judgment. Incumbents usually exercise supervision over a unit of engineers and technicians or serve as consultants in a specialty area having significant impact. Incumbents may be called upon regularly to act for their supervisor who is a licensed professional engineer.

While not allocation criteria, the **Typical Work** statements provide guidance about the level of impact and scope of authority of a TE4/Technical Program Specialist. The Typical Work notes that Technical Program Specialist has responsibility for a "highly specialized District technical program or function of medium size and scope or serving as a Headquarters statewide specialist in an area of medium size/scope/impact. This work requires a thorough knowledge of technical engineering practices and Departmental policies, procedures, and standards..... Headquarters statewide specialist/consultant/liaison in a specialized technical area of medium size/scope/impact...Headquarters final reviewer of project documents."

Mr. Carandang's position's responsibilities do not require that he apply specialized training, broad experience and professional judgment in analysis and decision making to resolve *complex engineering problems*. Rather, Mr. Carandang uses his knowledge

and the data that is provided to him by project managers and engineers to create a computerized schedule of projects. From the computerized Schedule, he provides information to the managers and engineers of potential problems such as conflicts of dates and allocation of resources. The project managers and engineers are responsible to resolve the problems. Mr. Carandang's responsibility is focused on compiling information specific to geotechnical design and planning into a computerized schedule. This is not the same scope and level of responsibility as anticipated when an incumbent is responsible "for a highly specialized District technical program or function". Mr. Carandang supervisor, Mr. Jenkins stated that Mr. Carandang is not the final reviewer of the reports and information that he compiles.

Mr. Carandang's position's decision making authority, level of responsibilities and assignments, and breadth of impact do not meet the level of authority or scope of responsibility anticipated of technical program specialist/ TE4. The Transportation Engineer 4 classification is not the best fit for Mr. Carandang's position's overall scope of impact, duties and responsibilities.

Transportation Engineer 3 (TE3) (530M)

Definition: "Performs advance transportation engineering work under limited supervision."

Distinguishing Characteristics: "At this level, incumbents are generally placed in charge of a major project or functional area which is characterized by supervising several support staff (staff may include or consist of contracted consultants) or serve as a staff specialist in a complex area of limited scope (this may include serving as a staff specialist consultant to Local Agencies). Incumbents are expected to possess a thorough working knowledge of agency policies, standards and procedures as well as engineering principles, methods and practices. Assignments require judgments in selecting and adapting techniques to solve transportation problems. Incumbents may represent the Department at public meetings, open houses, to local agencies, contractors, consultants, etc., for specific projects. While work is occasionally spot-checked and reviewed upon completion, incumbents are responsible for planning and carrying out projects with only minimal supervision."

Mr. Carandang's responsibilities are to gather, maintain, monitor, analyze, and process information to create the Geotechnical Schedule. The level and scope of responsibilities described by the TE3 classification are comparable to the level and scope of Mr. Carandang's positions' assigned duties. Mr. Carandang works under limited supervision, and represents the unit internally. Mr. Carandang's position's overall responsibilities and duties meet the expectations of the Definition and Distinguishing Characteristics and are supported by the Typical Work of the TE3 classification. Mr. Carandang's position is correctly allocated as a Transportation Engineer3.

Appeal Rights

RCW 41.06.170 governs the right to appeal. RCW 41.06.170(4) provides, in relevant part, the following: *"An employee incumbent in a position at the time of its allocation or reallocation, or the agency utilizing the position, may appeal the allocation or reallocation to . . . the Washington personnel resources board....Notice of such appeal must be filed in writing within thirty days of the action from which appeal is taken."*

Please note telephone and address changes:

On July 6, 2009 the offices of the Director's Review Program and Personnel Resources Board Appeals Program relocated to the Department of Personnel building located at 600 South Franklin in Olympia. The main phone number for the two programs is now **360-664-0388**. The fax number remains the same, **360-753-0139**.

All requests for Director's Reviews and appeals to the Personnel Resources Board must be filed:

In person at:

600 South Franklin
Olympia, WA 98504-7530

OR

By mail at: (unchanged)

Mail Stop 40911
Olympia, WA 98504-0911

If no further action is taken, the Director's determination becomes final.

cc: Vince Oliveri, IFPTE Local 17
Niki Pavlicek, DOT
Lisa Skriletz, DOP

Enclosure: Exhibits List

Exhibits List

1. Richard Carandang exhibits

- A.** Request for Directors Review Form October 23, 2008
- B.** Allocation Determination letter dated October 16, 2008
- C.** Classified Position Description form dated & signed 4/08
- D.** Organizational Chart, Environmental and Engineering Programs Division, Materials Laboratory, April 1, 2008.
- E.** Classification Questionnaire for vacant position -2006 (position 0-1226)
- F.** Organizational Chart -Project Control & Reporting Office, date 2/16/08
- G.** Classification Questionnaire for Lee Wlazalak (position 0-0247)
- H.** Classification Questionnaire for Laura A. Ditmer (position 0-0643)
- I.** Job Announcement from DOT for Project Controller-TE3
- J.** Richard Carandang sent in assorted E-mails

2. DOT exhibits March 31, 2009

- A.** HR Allocation determination letter dated October 16, 2008
- B.** Classification Questionnaire submitted and signed by Employee 4/23/08
- C.** Response from supervisor and confirmed by appointing authority, dated June 2008
- D.** Transportation Engineer 3 Classification Spec (530M)
- E.** Transportation Engineer 4 Classification Spec (530N)

3. Additional exhibits submitted during and post review conference

- A.** May 29,2009 statement by Mr. Carandang submitted during the review conference
- B.** May 20, 2009 email from Richard Carandang to Karen Wilcox, DOP
- C.** February 2008 Geotechnical Project Schedule (8 pages)
- D.** Primavera Training Certificates (2 pages)
- E.** Mats Lab Primavera Resource January 2009 emails (2 pages)
- F.** SOWCE Dan Evans Bridge November 2007 memo and attachments (7 pages)